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November 28, 2017

The Honorable Sarah Netburn, U.S. Magistrate Judge
United States District Court for the Southern District of New York
Thurgood Marshall U.S. Courthouse, Room 430
40 Foley Square
New York, NY 10007

Re: In Re: Terrorist Attacks on September 11, 2001, 03 MDL 1570 (GBD) (SN)

Dear Judge Netburn,

We write on behalf of plaintiffs in newly filed matters alleging personal injury and wrongful death claims in the above-referenced MDL. In the Court's Order at ECF No. 3793, Your Honor directed counsel who recently filed Short Form Complaints on behalf of a number of plaintiffs alleging personal injuries in connection with the terrorist attacks on September 11, 2001, to submit a letter addressing the propriety of litigating these claims in this MDL and related questions.

As the Court may be aware, except for the plaintiffs in the *Ashton* case, the plaintiffs in all of the newly filed personal injury cases have followed the procedures and forms approved by this MDL court in the Order at ECF Nos. 3543-45 and filed Short Form Complaints that substantially adopted the Consolidated Amended Complaint ("CAC") filed by the Plaintiffs' Executive Committees ("PECs") at ECF No. 3463. The PECs have proceeded on behalf of those plaintiffs in their communications with the Court, and in responsive pleadings, discovery, and motion practice – including most prominently, the plaintiffs' opposition to the motions to dismiss filed by the Kingdom of Saudi Arabia and the Saudi High Commission.

The explicit rationale of the Judicial Panel on Multidistrict Litigation ("JPML") for centralizing the cases before this MDL transferee court was that all of these claims, whether personal injury, wrongful death or commercial, arose from and as a result of the same terrorist activities on September 11, 2001. The JPML recognized the "common, complex legal and factual questions" that arose in the wrongful death and personal injury actions stemming from the September 11, 2001 terrorist attacks, and accordingly centralized those claims. *In re: Terrorist Attacks on Sept. 11, 2001*, 295 F. Supp. 2d 1377, 1378 (J.P.M.L. 2003).

We have had the opportunity to review the proposed submission by the PECs. The newly filed plaintiffs concur with the position of the PECs, request that the claims remain in place, and that no further action is needed for the reasons stated in their letter to the Court.

This letter is being submitted on behalf of all newly filed plaintiffs with the exception of the plaintiffs represented by Napoli Shkolnik, PLLC, who will be submitting their own letter. Prior to submission to this Court, the within letter was circulated to the email list of all newly filed plaintiffs provided by the PECs with request for comment and all of them concur in the belief that the new cases should remain part of the MDL.

Respectfully,

/s/

Gregory Cannata and Robert Grochow
Gregory J. Cannata & Associates, LLP and
Robert A. Grochow, PC

Cc: Hon. George B. Daniels, U.S.D.J. (Via ECF)
All Counsel of record (Via ECF)